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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

dicants:

Jeffrey J. Lace

Serial No.:

10/053,440

PETITION UNDER

37 C.F.R. 1.10(d) TO ACCORD FILING DATE

Filing Date:

January 17, 2002

For:

SENSOR ASSEMBLY FOR STRINGED

MUSICAL INSTRUMENTS

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Response to Request for Correct Filing Receipt dated December 31, 2002, the undersigned attorney petitions the Commissioner to accord the above-identified patent application a filing date of January 17, 2002. The pertinent facts are as follows:

- 1. On January 17, 2002, Applicant utilized the United States Post Office Pickup Service for Express Mail to file the above-identified patent application, which was a conversion of provisional application 60/262,218, filed January 17, 2001. As shown in Exhibit A, the date entered in the Pickup Service Statement is January 17, 2002, and the Express Mail Label number entered is EL830948020US.
- 2. On January 17, 2002, the undersigned attorney sent an express mailing certificate, and as shown in Exhibit B, the certificate is dated January 17, 2002 and the Express Mail Label number included is EL830948020US.
- 3. Subsequent to the events described in paragraphs 1 and 2, the United States
 Post Office sent the undersigned attorney the receipt for Express Mail Label number

CERTIFICATE OF MAILING: (37 C.F.R. 1.8) I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Posta/Service with sufficient postage as First Class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on Daniel H. Bliss

EL830948020US. As shown in Exhibit C, the date entered in the "date in" box is "January 18, 2002."

- 4. The Application was accorded a filing date of January 18, 2002 by the United States Patent and Trademark Office.
- 5. On August 20, 2002, a Request for Corrected Filing Receipt was filed requesting that the filing receipt date be changed from January 18, 2002 to January 17, 2002.
- 6. On November 8, 2002, a Second Request for Corrected Filing Receipt was filed again requesting that the filing receipt date be changed from January 18, 2002 to January 17, 2002.
- 7. On December 31, 2002, a Response to Request for Corrected Filing Receipt was sent to the undersigned attorney explaining that a petition to accord a filing date should be submitted in order to change the filing date.

Accordingly, this Petition is being submitted to change the filing date from January 18, 2002 to January 17, 2002. Because the USPS Express Mail Pickup Service Statement is dated January 17, 2002 (Exhibit A), and this date is corroborated by the Express Mailing Certificate (Exhibit B), it is apparent that the date "January 18, 2002" was incorrectly entered in the "date in" box on the Express Mail mailing label by the United States Postal Service. Thus, the undersigned attorney requests that the petition be granted to allow continuity between the provisional application and the present application.

The Commissioner is authorized to charge the Deposit Account No. 02-2712 for any fees which may be due.

Respectfully submitted,

By: Daniel H. Bliss

Registration No.: 32,398

BLISS McGLYNN, P.C. 2075 West Big Beaver, Suite 600

Troy, Michigan 48084

(248) 649-6090

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Date: Maren (0, 200

Attorney Docket No.: 0155.00030

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* ADMITTED IN PENNSYLVANIA ONLY ** ALSO ADMITTED IN NEW YORK † ALSO ADMITTED IN TENNESSEE

SUZANNE D. NOLAN, Ph.D.

DANIEL H. BLISS

JEFFREY A. HAWN *

GERALD E. MCGLYNN, III

PRESTON H. SMIRMAN 1

ROBERT S. NOLAN **

BRIAN S. PICKELL

Date: January 17, 2002

U.S. Patent and Trademark Office P.O. Box 2327 Arlington, VA 22202

Sir:

EXPRESS MAILING CERTIFICATE

Applicant(s): Jeffrey J. Lace

Serial No. (if any):

For: SENSOR ASSEMBLY FOR STRINGED MUSICAL INSTRUMENTS

Docket No.: 0155.00030

Attorney: Daniel H. Bliss

"Express Mail" Mailing Label Number EL830948020US

I hereby certify that the accompanying: <u>Utility Patent Application Transmittal</u>, Fee Transmittal, <u>Patent Application</u>, five (5) sheets of informal drawings, <u>Declaration and Power of Attorney</u> (unexecuted), <u>Nonpublication Request</u>, and check in the amount of \$370.00, return postcard.

is (are) being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is (are) addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, Virginia 22202.

Daniel H. Bliss

Signature for Person Mailing Document(s)

EL830948020US

Please date stamp and return this Postcard acknowledging receipt of the following:

Utility Patent Application Transmittal, Fee Transmittal, Patent Application, five (5) sheets of informal drawings, Declaration and Power of Attorney (unexecuted), Nonpublication Request and check in the amount of \$370 (Check # 9535)

Applicant(s): Jeffrey J. Lace

Title: SENSOR ASSEMBLY FOR STRINGED MUSICAL INSTRUMENTS

Attorney: D.H. Bliss

Attorney Docket No.: 0155.00030

Via Express Mail [EL830948020US] on January 17, 2002

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